

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JAMES T. SULLIVAN, etc., et al.,)	
)	
Plaintiffs,)	No. 07 C 5054
)	Judge Castillo
v.)	Magistrate Judge Mason
)	
COSTIN'S PLUMBING AND SEWER, INC., and)	
DO RIGHT ROOTER PLUMBING AND HEATING,)	
INC.)	
Defendants.)	

MOTION FOR ENTRY OF JUDGMENT

NOW COME Plaintiffs, JAMES T. SULLIVAN, etc., et al., by their attorneys,
DOUGLAS A. LINDSAY, JOHN W. LOSEMAN, and LISA M. SIMIONI, with LEWIS,
OVERBECK & FURMAN, LLP, of counsel, and move the Court to enter Judgment in favor of
Plaintiffs and against Defendants, COSTIN'S PLUMBING AND SEWER, INC. and
DO RIGHT ROOTER PLUMBING AND HEATING, INC., jointly and severally, in the amount
of \$1,697,730.78. In support hereof, Plaintiffs state:

1. Plaintiffs filed this action on September 7, 2007, seeking a judgment against
Defendants enforcing an arbitration award ("Award") under ERISA, 29 U.S.C. §§1132 and 1145,
and LMRA, 29 U.S.C. §185.

2. Defendants were served with process on September 15, 2007. True and correct copies of the Returns of Service are attached hereto as Exhibit A.

3. Defendants were required to appear and answer on or before October 5, 2007, but have not done so.

4. Defendants are in default.

5. Award was entered against Defendants in the computed amount of \$1,358,774.98.

A true and correct copy of Award is attached hereto as Exhibit B.

6. Pursuant to Award and 29 U.S.C. §1132, Plaintiffs' damages are calculated as follows:

\$1,358,774.98 -	Award;
\$45,870.90 -	Additional interest at \$9,174.18 month for period 6/15/07 through date of presentment of this motion, pursuant to Award and 29 U.S.C. §1132(g)(2)(B);
\$291,165.40 -	Double interest consisting of \$245,294.50. stated in Award plus \$45,870.90 stated above, pursuant to 29 U.S.C. §1132(g)(2)(C);
\$1,919.50 -	Plaintiffs' attorneys' fees and costs through date of presentment of this motion, pursuant to Award and 29 U.S.C. §1132(g)(2)(D) (See Affidavit of Douglas A. Lindsay attached hereto as Exhibit C);
_____	_____
\$1,697,730.78	Total due as of 10/16/07.

7. Attached hereto as Exhibit D is a draft Order.

WHEREFORE, Plaintiffs, JAMES T. SULLIVAN, etc., et al., request the Court to enter Judgment in favor of Plaintiffs and against Defendants, COSTIN'S PLUMBING AND SEWER,

INC. and DO RIGHT ROOTER PLUMBING AND HEATING, INC., jointly and severally, in the amount of \$1,697,730.78.

JAMES T. SULLIVAN, etc., et al., by their attorneys, DOUGLAS A. LINDSAY, JOHN W. LOSEMAN, and LISA M. SIMIONI

By: 

Lisa M. Simioni
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312-580-1248

OF COUNSEL:
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PROOF OF SERVICE

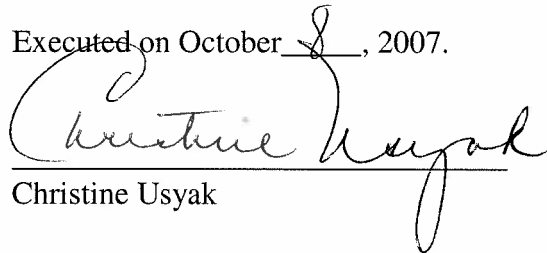
I served a copy of the foregoing **PLAINTIFFS' MOTION FOR ENTRY OF JUDGMENT** upon:

SEE ATTACHED SERVICE LIST

by placing a true and correct copy thereof in a sealed envelope addressed as aforesaid, with postage prepaid, and depositing same in the United States Mail Box at 20 North Clark Street, Chicago, Illinois on October 8, 2007, before 4:30 p.m.

In accordance with 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 8, 2007.


Christine Usyak

LEWIS, OVERBECK & FURMAN, LLP
20 N. Clark St.
Suite 3200
Chicago, IL 60602-5093
312.580.1200

Service List

Costin's Plumbing and Sewer, Inc.
c/o Its Registered Agent, Rodica Costin
1424 W. 55th Place
Countryside, IL 60525

Do Right Rooter Plumbing and Heating, Inc.
c/o Its Registered Agent, Rodica Costin
1424 W. 55th Place
Countryside, IL 60525